

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

MICHAEL PATRICK SIANO™,

Plaintiff Corporate Entity,

v.

M&T BANK,  
PARKER McCAY P.A. LAW  
OFFICES et al. and all Unknown Parties,

Defendants.

**Document Filed Electronically**

Civil Action No.: 3:20-cv-12827-MAS-DEA

**DECLARATION OF JAMES P. BERG, ESQ. IN SUPPORT OF DEFENDANT M&T  
BANK'S REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF ITS  
MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

James P. Berg, Esq., an attorney duly licensed to practice law in the State of New Jersey and in this Court, declares and affirms under penalty of perjury as follows to the best of his knowledge, information, and belief:

1. I am a partner of the law firm of Parker Ibrahim & Berg LLP, attorneys for defendant M&T Bank ("M&T Bank"), in the above-captioned action. I submit this declaration in support of M&T Bank's Reply Memorandum of Law in Further Support of Its Motion to Dismiss the Complaint of *Pro Se* Plaintiff Michael Patrick Siano™ ("Plaintiff") with prejudice.

2. A true and correct copy of the unpublished decision in *Campbell v. Tabas*, No. 16-6513, 2017 U.S. Dist. LEXIS 115722, 2017 WL 3142 118 (E.D. Pa. July 25, 2017) is attached hereto as **Exhibit 1**.

3. A true and correct copy of the unpublished decision in *Davis v Kahn*, Civil Action No. 18-8560, 2019 US Dist. LEXIS 69408 (D.N.J. Apr. 24, 2019) is attached hereto as **Exhibit 2**.

4. A true and correct copy of the unpublished decision in *In re Farrington*, No. 17-1775, 2019 US Dist. LEXIS 40048, 2019 WL 1149881 (D.N.J. Mar. 11, 2019) is attached hereto as **Exhibit 3**.

5. A true and correct copy of the unpublished decision in *Kajla v. Cleary*, No. 18-15449, 2019 U.S. Dist. LEXIS 61, 2019 WL 77067 (D.N.J. Jan. 2, 2019) is attached hereto as **Exhibit 4**.

6. To the best of my knowledge, there are no unpublished opinions that run contrary to the above-referenced unpublished opinions.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

**PARKER IBRAHIM & BERG LLP**

Respectfully submitted,

Dated: December 4, 2020

/s/ James P. Berg

James P. Berg, Esq.

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